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## SECTION 200.00 – UTILITY PERMITS

### SECTION 205.00 – UTILITY PERMIT INTRODUCTION

Each ITD District is responsible for processing utility encroachment permits and maintaining utility permit records for all ITD controlled right-of-way within their District. Generally, individuals are assigned to coordinate the processing and maintenance of utility encroachment permits within a District and are the District contacts regarding utility permit issues (see [Appendix D](#)).

The ITD's "Utility Accommodation Policy" describes the policy regarding utility encroachments within the State highway right-of-ways, as established by IDAPA 39.03.43 (refer to [Appendix A](#)).

The utility permitting process is initiated by the following:

- **Utility Requests a Permit:** The Utility initiates a permit request to install new facilities and/or relocate existing facilities within the right-of-way of a highway of the State Highway System.
- **ITD Activities Affect Utility Facilities:** ITD issues permits when utility facilities are required to be relocated and/or adjusted because of construction of a highway improvement project within the right-of-way of the State Highway System.

The utility permit, form [ITD-2110](#), is used for both actions.

### SECTION 210.00 – UTILITY REQUESTS A PERMIT

Utility contacts the District about proposed utility work. The District provides the Utility:

- A utility permit form [ITD-2110](#).
- Copies of ITD highway plans showing the State right-of-way for the appropriate locations.
- Other appropriate information (e.g., an example of a traffic control plan).
- Answers to questions.

The Utility is responsible for determining whether other existing utility facilities are located within the requested encroachment area to verify that there are no conflicts. The Utility then submits the permit to the District.

**210.01 District Review of Permit.** The District initially reviews the permit submittal for completeness. At a minimum, review the submitted permit for the following:

- Location by milepost on the specified route is identified.
- Utility facilities within the right-of-way by either distance from center of road or right-of-way line is identified.
- Depth or vertical clearance (consult Port of Entry) is identified and acceptable.
- Utility is identified as either parallel to or crossing the roadway.

- Verify location and installation method is acceptable per ITD policy and procedures. All underground crossings shall be bored or jacked in accordance with ITD procedures.
- Review the plan of proposed work, traffic control plans, and any special provisions to the utility permit form.
- If no special provisions are provided, verify whether there should be.
- If special provisions are provided, verify whether they are acceptable.
- Verify whether the plan of proposed work (text and engineer drawings) is adequately described.
- Verify whether the traffic control plan information is adequate.
- Evaluate whether any time restrictions on the proposed work is required.
- Verify that the Utility is identified with a contact person shown with telephone number and there is an authorized representative signature.

**NOTE:** For any existing utility facility being replaced, consideration should be given to requiring the utility to remove the existing facility rather than allowing abandonment in place.

The permitting process does not proceed until the applicant has fulfilled all permit submittal requirements and paid the non-refundable fee.

After the above initial review, the District either requests additional information from the Utility or forwards the Utility's submittal to the Utility Permit Review Committee. The Utility Permit Review Committee normally consists of representatives from several District Sections such as Project Development, Traffic, Right-of-Way, Planning, Environmental, Construction (Resident/Region) and Maintenance. It is recommended that the Utility Permit Review Committee obtain input from the maintenance foreman responsible for the area where the utility facility is located.

The Utility Permit Review Committee evaluates the Utility's submittal. At a minimum, the evaluation includes determining whether:

- The special provisions provided are adequate or if additional special provisions are necessary.
- The plan of proposed work (text and drawings) is adequately described.
- The traffic control plan information is in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) as adopted by ITD and other District requirements.
- Any time restrictions on the proposed work are required.
- The depth, height, method of installation, and location within the right-of-way is acceptable.
- Other permits from railroad, environmental regulatory agencies or other entities are required in addition to ITD's utility permit.

Whenever the District decides to approve a utility permit without being reviewed by the Utility Permit Review Committee these evaluation criteria should still be followed.

**210.02 Permit Accepted or Rejected.** Based on the above evaluation, the Utility Permit Review Committee either accepts or rejects the utility permit. If accepted, the required District signatures are obtained and an executed utility permit is returned to the Utility with a notice to begin work after all required Performance Bonds and/or Inspection Fees (see [Section 2.6 of Appendix A](#)) have been received.

If rejected, the District sends the utility permit back to the Utility with rejection comments and/or requests for additional information. If the Utility determines to continue with the utility permit process, a revised utility permit submittal is made to the District. The revised utility permit is then reviewed to verify that the required changes and/or additional information have been incorporated. Depending on the complexity of the revised utility permit submittal, the permit may either be executed if the verification indicates an acceptable permit or routed again for review by the Utility Permit Review Committee.

The executed utility permit information is entered into the District permit tracking system and copies of the complete approved utility permit are distributed according to District procedures. A complete copy should go to the area maintenance foreman so that it is available for subsequent District inspection of the utility work (refer to [Section 305.00](#)).

The Utility is responsible to locate, including any necessary surveying, the highway right-of-way per the plans provided by the District.

All permitted work must be completed and available for final inspection within 30 days after construction begins, unless otherwise stated in the special provisions of the permit. If the permitted work is not completed within one year of permit issuance, the permit is considered void. At the discretion of the Department, a one-time extension not to exceed six months may be granted if requested in writing by the permittee prior to permit expiration. New applications are required for additional work following permit expiration.

## **SECTION 215.00 – UTILITY APPEALS A DENIED PERMIT**

The decision to deny a utility permit may be appealed by the Utility in accordance with ITD's "Utility Accommodation Policy" (see [Section 2.4 of Appendix A](#)).

## **SECTION 220.00 – ITD ACTIVITIES AFFECT UTILITY FACILITIES**

When a highway improvement project located on the State Highway System or using Federal-Aid funding requires the relocation or adjustment of any utility facilities, ITD issues a Board Order to each Utility, which directs the relocation or adjustment of their facilities to accommodate the highway improvement project. ITD will execute a utility agreement with Utilities whose facilities are to be relocated or adjusted at project expense (refer to [Section 435.00](#)).

A utility permit must be completed by the Resident/Region Engineer (refer to [Section 525.00](#)) and no fee is charged to the Utility. These permits are entered into the District utility permit tracking system and copies of the utility permit are distributed according to District procedures.

The District is responsible to locate, including any necessary surveying (e.g., staking), the right-of-way per the project plans for use by the Utility.

## **SECTION 225.00 – MAINTENANCE AND EMERGENCY UTILITY REPAIR PROCEDURES**

An emergency repair or adjustment of utility facilities may be made without prior permit if there is an extreme emergency. An extreme emergency would exist if the utility facility was damaged such that it presented imminent danger, or loss of life, or severe damage to property, or loss of vital utility services. The utility must notify the Department in advance of any work that affects the traveling public.

Notification of the Department is by the following procedures:

1. Utility contacts the District by telephone unless it is after hours. If after hours, contact state communications at **(208) 846-7610** or **1-800-632-8000** either prior to or immediately after starting work within the right-of-way of the State Highway System.
2. The appropriate maintenance foreman is immediately contacted to ensure the work:
3. Complies with traffic control requirements.
4. Roadway features are retained and protected or restored to original condition.
5. After the damage to utility facility is repaired and service is re-established, the Utility notifies the District that work is completed.
6. The maintenance foreman determines whether the Utility is required to obtain a new utility permit. Generally, a new permit is needed for any work that involves installing new or relocating an existing utility facility at a different location.
7. If additional work is required beyond repair, the Utility must follow the permit process.

## **SECTION 230.00 – OTHER ACCESS PERMITS**

When issuing other access permits (driveways, subdivision approaches, etc.), the District reviews the permit for any utility conflicts. The permittee is responsible for all costs to Utilities for any required facility modifications.